

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

TOM HENSIEK, <i>et al.</i> ,)	
Plaintiffs,)	
vs.)	Case No. 20-cv-377-DWD
)	
BD. OF DIRECTORS OF CASINO QUEEN)	
HOLDING CO., INC., <i>et. al.</i> ,)	
Defendants.)	
)	
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BD. OF DIRECTORS OF CASINO QUEEN)	
HOLDING CO., INC., <i>et. al.</i> ,)	
Crossclaim/Third-Party Plaintiffs,)	
vs.)	
)	
CHARLES BIDWILL, III, <i>et al.</i> ,)	
Crossclaim/Third-Party Defendants.)	
)	
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CHARLES BIDWILL, III,)	
TIMOTHY J RAND,)	
Defendants/Counterclaimants,)	
Crossclaim/Third Party Plaintiffs,)	
vs.)	
)	
TOM HENSIEK, <i>et. al.</i> ,)	
Counterclaim/Crossclaim/Third Party)	
Defendants.)	
)	
<hr/>)	
JAMES G. KOMAN,)	
Crossclaim Plaintiff,)	
vs.)	
)	
BD. OF DIRECTORS OF CASINO QUEEN)	
HOLDING CO., INC., <i>et al.</i>)	
Crossclaim Defendants.)	
)	

PLAINTIFFS' MOTION FOR CLASS CERTIFICATION

Plaintiffs Tom Hensiek, Jason Gill, and Lillian Wrobel hereby move, under Federal Rule of Civil Procedure 23, for an order certifying this case as a class action and certifying the following class:

All participants in the Casino Queen Employee Stock Ownership Plan who had shares of CQ Holding Company, Inc. stock in their ESOP account on December 31, 2018, and who had not received any distributions for any stock held in their ESOP account prior to that date, and those participants' beneficiaries. Excluded from the Class are Defendants and their immediate family members, any fiduciary of the ESOP, and any legal representatives, successors, and assigns of any such excluded persons.

Plaintiffs also ask to be appointed as class representatives in this matter and to have Cohen Milstein Sellers & Toll PLLC and Stris & Maher LLP appointed as Class counsel for the proposed Class under Fed. R. Civ. P. 23(g).

The grounds for Plaintiffs' motion are set forth in the Memorandum in Support filed herewith. In further support of the motion, Plaintiffs submit declarations from their counsel, Colleen R. Smith, Peter K. Stris, and Michelle C. Yau, as well as exhibits attached thereto.

Dated: December 16, 2022

By: Colleen R. Smith

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing document, with attachments, was filed via the Court's Electronic Filing System on this 16th day of December, 2022.

/s/ Colleen R. Smith
Colleen R. Smith